

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marc Chase WEINSTEIN )  
Serial No.: to be assigned ) Examiner:  
(PCT/US2006/010646) )  
Filing Date: August 24, 2006 ) Group Art Unit:  
Priority Date: March 23, 2005 )  
For: DEVICE HAVING A SLIDABLE COVER )  
)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL FOR ACCELERATED EXAMINATION**

Sir:

Applicant hereby petitions the Director of the U.S. Patent and Trademark Office (PTO) pursuant to 37 C.F.R. § 1.102 requesting accelerated examination of the application herein.

Pursuant to MPEP § 708.02(I), Applicant wishes his application be made special on the ground of prospective manufacture as set forth in Applicant's Statement in Support of the Petition to Make Special for Accelerated Examination (Exhibit A).

Applicant has had a thorough search of prior art conducted as required under MPEP § 708.02(I)(D) and submits the "Patent Search Report", with copies of the most relevant of the

non-US prior art cited therein, as required under 37 CFR 1.98 (2) ii. The US references can be furnished upon request. (Exhibit B)

In furtherance of the above prior art search requirements, Applicant also submits an Information Disclosure Statement listing the most relevant of the prior art documents that were cited in the Patent Search Report (Exhibit C).

Applicant respectfully requests that the Director grant this request for accelerated examination of the application herein and provides herewith a Credit Card Authorization form in the sum of \$ 130.00 for payment of the fee set forth in 37 CFR 1.17(i).

Respectfully submitted,



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(EXHIBIT A)

STATEMENT IN SUPPORT OF THE PETITION TO MAKE SPECIAL FOR  
ACCELERATED EXAMINATION

The prospective manufacturer is Chase Marketing International LLC, a New York corporation having its principle place of business in New York. The inventor of the instant patent application, Marc Chase Weinstein, is the president of Chase Marketing International LLC and he has provided in good faith the information for this statement to the undersigned attorney. Accordingly the undersigned attorney has a good faith belief to make this statement.

(A) The prospective manufacturer, Chase Marketing International LLC, possesses sufficient presently available capital and facilities to manufacture the invention in quantity. More specifically, Chase Marketing LLC has consistently had annual revenues which exceed approximately \$4,000,000 from the sales of its products, and has long-term relationships with both component suppliers (here in the US and abroad) and final assembly and manufacturing facilities here in the US, who are capable of manufacturing a product having the present invention in the US.

(B) Chase Marketing International LLC will not manufacture the invention unless certain that the patent will be granted.

(C) Chase Marketing International LLC obligates itself, to manufacture the invention, in the United States or its possessions, in quantity immediately upon the allowance of claims or issuance of a patent which will protect the investment of its capital and facilities.

Although Chase Marketing International LLC plans to acquire most of the active components used to form the invention from US sources (such as plastic components and printed graphics that form the cover and slide mechanism of a product having the invention), the relatively small and portable calculator portion of the invention is not planned to be manufactured in the US because there is no calculator manufacturing industry in the US. Chase Marketing International LLC plans to have the electronic calculator component portion of the invention shipped to a US facility for final assembly of the invention in the US with other components manufactured in the US, in order to manufacture the invention in the US.

More specifically, the printing of graphics on the plastic components and the assembly of the components to final manufacture of the invention, is planned to be done using Premium Shapes LLC of Belleville, NJ. Premium Shapes LLC is a substantial company (believed to have annual sales which exceed \$5,000,000/year), and is well recognized in the promotional/premium field as a successful manufacturing company having a large client base. Premium Shapes LLC has its own assembly and manufacturing facilities where, *inter alia*, it receives cut, vacuum formed and/or otherwise shaped plastic components, on which it performs hot stamping and/or pad printing, and then final assembly of promotional products that typically include the plastic components it worked. Chase Marketing LLC has a long-term relationship (over 10 years) with Premium Shapes LLC, and fully expects they will perform according to the above-noted plans.

Similarly, Chase Marketing International LLC has used suppliers for calculators in the past, and, for example, has had successful experience obtaining calculators through Win-Dragon LTD, located in Hong Kong. Last year Win-Dragon LTD received over \$2 million from Chase Marketing International LLC for obtaining a range of custom products which were supplied by Win-Dragon LTD to Chase Marketing International LLC. Accordingly, Chase Marketing LLC has sufficient capital and facilities at its disposal to manufacture the invention, as noted above.

(D) The applicant has made or caused to be made a careful and thorough search of the prior art. Applicant provides attached herewith as Exhibit B a copy of a prior art Patent Search Report prepared by a professional search company (Landon IP) for the undersigned on or about June 30,

2005. The Search Report indicates the field of search by class and subclass, as well as search key words, and the name and position of a USPTO examiner who was asked for assistance, etc. As indicated under the heading "Subject Matter" in the report, it is clear that the pre-examination search was directed to the invention as claimed in the application for which special status is requested.

Of the three references in the Patent Search Report deemed most closely related to the subject matter encompassed by the claims of the invention, two are US patents, and in accordance with 37 CFR 1.98 2 (ii) only the non-US references are enclosed herewith. However, if required, the US references can be furnished upon request.

The following is a detailed discussion of the most closely related references, which points out, with the particularity required by 37 CFR 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

**JP 2002182592 A** discloses shows a computer device having a lid 3 that covers a part of the computer device. When the lid 3 is closed, a display on the lid 3 shows a first image 12, and when the lid 3 is open, the display on the lid 3 show a second image 11.

Applicant's invention as defined in either of independent claims 1 or 11 recites:

*an area (18) positioned adjacent the cover panel which is used to provide to a user of the device (10) a view of at least one image (Image 2, Image 3, or Image 2+3), wherein*

*when the cover panel (14) is in the first position it is aligned with the component so as to form a protective cover over the component, and as the cover panel is moved from the first position to the second position, the component is progressively more accessible to the user of the device, and the area (18) is progressively moved so as to extend past the housing of the device.*

Accordingly, a key feature of applicant's claimed invention is the area (18) which is positioned "adjacent to the cover panel". Clearly, in the cited JP reference the area that provides an image is the display, and the display is "on the cover" not adjacent to it. Accordingly the cited JP reference does not show or suggest this feature corresponding to applicant's "area (18)".

Additionally, another key feature of applicant's claimed invention is that "as the cover panel is moved .. the area (18) is progressively moved. Since the cited JP reference does not show the area (18) as claimed by applicant, it can't show or suggest movement of such an area (18) as the cover is moved. Accordingly, it is believed that claims 1 and 11


are clearly patentable over this cited reference. Claims 2-10 depend from claim 1 and are believed to be allowable for at least the same reasons noted above for the allowability of claim 1.

**USP 3,622,720 A** discloses an electronic calculator having a sliding keyboard cover 11, which when opened, causes a hood 12 to be raised so that a display 17 becomes visible. USP 3,622,720 suffers from the same defect as the above noted with respect to the JP reference in that it does not show or suggest the area (18) nor the interrelationship of area (18) with a cover panel, as recited in applicant's claims 1 or 11. Accordingly, it is believed that claims 1 and 11 are clearly patentable over this cited reference. Claims 2-10 depend from claim 1 and are believed to be allowable for at least the same reasons noted above for the allowability of claim 1.

**USP 6,182,386 B1** discloses a sign 1, having a rear plate 2 with at least two printed messages 5,6 and a front plate 3 movable arranged in front of the rear plate 2. Movement of the front plate exposes part, all or none of the at least two printed messages 5,6. USP 6,182,386 suffers from the same defect as the above noted with respect to the JP reference in that it does not show or suggest the area (18) nor the interrelationship of area (18) with a cover panel, as recited in applicant's claims 1 or 11. Accordingly, it is believed that claims 1 and 11 are clearly patentable over this cited reference. Claims 2-10 depend from claim 1 and are believed to be allowable for at least the same reasons noted above for the allowability of claim 1.

This statement is based on a good faith belief that the invention in fact qualifies for special status.

Respectfully submitted,



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